

Translation of Official Letter:

Date: August 15, 2003  
Mailing Date: August 27, 2003

1. The present invention cannot be patented according to Article 29, Par. 1, Item 3 of the Patent Law since it has been disclosed in the following prior publications:

1. JP Patent Application Disclosure No. 55-51714
2. JP Patent Application Disclosure No. 63-209715
3. JP Patent Application Disclosure No. 6-503048
4. JP Patent Application Disclosure No. 6-087609
5. JP Patent Application Disclosure No. 63-054485
6. Specification of US Patent No. 5,429,873

(Degussa AG)

2. The present invention cannot be patented according to Article 29, Par. 2 of the Patent Law since it is obvious on the basis of the following prior publications:

See the references cited in Item 1 above.

Concerning Items 1 and 2 (cf. Claim 1, References 1 to 6):

References 1 to 6 disclose hydrophobic pyrogenic silica with the density that overlaps with that of the present invention

according to Claim 1.

Concerning Items 1 and 2 (cf. Claim 2, References 1 and 2):

References 1 and 2 disclose a method for producing hydrophobic silica by crushing pyrogenic silica after hydrophobization.

Concerning Item 2 (cf. Claim 3, References 1 to 6):

Those skilled in the art can naturally attempt producing dispersions from hydrophobic silica depending on circumstances.

3. The present invention cannot be patented according to Article 29-2 of the Patent Law since it is identical to the invention according to the originally filed documents (specification etc.) of the following prior application which was subsequently laid open:

7. JP Patent Application No. 11-060699

(Disclosure No. 2000-256008)

The specification of Reference 7 discloses silica whose surface is hydrophobized by organic silicon compound and having the density of 80 to 300g/l.

4. The present application does not satisfy the requirement under Article 36, Par. 6, Item 2 of the Patent Law on the following point:

The method for measuring the "tamped density" is unclear.

Our Comment:

As indicated by the examiner, the present invention is identical to those disclosed in References 1, 2 and 7, and we cannot distinguish the present invention from those of References 1 to 7.

We therefore consider that it is difficult to obtain patent for the present invention.

**Note:**

Since References 2 is of your own JP Patent Application No. 62-203607 of August 18, 1987 (originated in the German Application No. P3706137.2 of February 26, 1987; your Reference: 87122FH), we refrain from sending you the copy and translation thereof.

(115824C)

Reference 1:

JP Patent Application Disclosure No. 55-051714 - April 15, 1980  
Application No. 54-130949 - October 12, 1979  
Priority: October 12, 1978, DE (Application No. P2844459.9)  
Applicant: Wacker-Chemie GmbH, DE

Title: Method for increasing the bulk weight of silicon dioxide  
with a surface of at least 50m<sup>2</sup>/g by means of sub-atmopheric  
pressure applied to the filter face

## Method for increasing the bulk weight of silicon dioxide

Patent Number:  US4326852

Publication date: 1982-04-27

Inventor(s): STOHR GUENTER; DUMMER GERHARD; GRUNE BURKHARD; KRATEL GUENTER; NIESSNER PETER

Applicant(s): WACKER CHEMIE GMBH

Requested Patent:  JP55051714

Application Number: US19790083718 19791011

Priority Number (s): DE19782844459 19781012

IPC Classification: B01D29/20; B01D37/00; B01D46/26; B01J3/00

EC Classification: C08K3/36, C09C1/30D4, C10M113/12

Equivalents: AU5168579, AU525715, CA1139082,  DE2844459,  EP0010655, B1, JP1190991C, JP58023330B

### Abstract

A method for increasing the bulk weight of silicon dioxide with a surface of at least 50m<sup>2</sup>/g by means of sub-atmospheric pressure applied at a filter face, wherein the silicon dioxide is moved by means of a conveyor screw, whose longitudinal axis is arranged parallel with respect to the filter face and which preferably has a decreasing thread pitch in feeding direction. Furthermore, the invention relates to the use of the treated silicon dioxide as a filler material for polymeric masses, especially diorganopolysiloxane, which is storeable in the absence of water and when admixed with water at room temperature results in a hardened elastomer mass.

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